

2019/TDC/ODD/SEM/COMDSC-301T/256

TDC (CBCS) Odd Semester Exam., 2019

COMMERCE

(3rd Semester)

Course No. : COMDSC-301T

(Company Law)

Full Marks : 70

Pass Marks : 28

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

UNIT—I

1. Answer any *four* from the following as directed : 1×4=4
- (a) The Companies Act of 1956 was repealed by which Act?
 - (b) Mention one feature of a joint-stock company.
 - (c) The maximum number of members in case of private limited company as per the Companies Act, 2013 is 150/200.
(Choose the correct answer)

(2)

- (d) What is the minimum paid-up capital of a public company as per the Companies Act, 2013?
- (e) Mention one important document which is required for incorporation of a company.

2. Answer any *one* question of the following : 2

- (a) Who is a promoter under the Companies Act, 2013?
- (b) What is meant by corporate veil?

3. Describe the procedure relating to the formation of companies under the Companies Act, 2013. 8

OR

4. "A company has a separate legal entity distinct from its members." Explain the statement with reference to a case study. 8

UNIT—II

5. Answer any *four* from the following as directed : $1 \times 4 = 4$

- (a) Is it necessary for a private company to have its articles of association?

(3)

- (b) What is the validity period of shelf prospectus?
- (c) What is global depository receipt?
- (d) Mention two kinds of preference share.
- (e) Buy back of share means when a company buys its own shares/to buy shares of other company.

(Choose the correct answer)

6. Answer any *one* question of the following : 2

- (a) Distinguish between equity share and preference share.
- (b) Define prospectus.

7. "Memorandum of Association is a charter of the company." Comment upon the statement and explain the clauses which are included in memorandum of association of a company. $2+6=8$

OR

8. Write notes on the following : $4 \times 2 = 8$

- (a) Doctrine of constructive notice
- (b) Doctrine of indoor management

(4)

UNIT—III

9. Answer any *four* from the following as directed : $1 \times 4 = 4$

(a) What is the minimum number of directors in case of a public company as per the Companies Act, 2013?

(b) A managing director of a company can be appointed for a maximum period of 5 years/6 years.

(Choose the correct answer)

(c) When does a company call for its first Annual General Meeting under the Companies Act, 2013?

(d) Mention one right of a company secretary.

(e) What does DIN stand for?

10. Answer any *one* question of the following : 2

(a) Who is a whole-time director?

(b) What is e-Voting?

11. Briefly discuss the provisions of the Companies Act regarding appointment of directors of a company. 8

OR

12. Discuss various kinds of meetings that can be held by a company. 8

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(Continued)

(5)

UNIT—IV

13. Answer any *four* from the following as directed : $1 \times 4 = 4$

(a) What is the period for which books of account must be retained by the company?

(b) Name one statutory book that every company must maintain in addition to the books of account.

(c) Who is empowered to sign the auditor's report?

(d) Interim dividend is dividend declared between two AGM's/Board meetings of the company. (Choose the correct answer)

(e) When is first auditor of a company appointed?

14. Answer any *one* question of the following : 2

(a) What is dividend mandate?

(b) Write a short note on criminal liability of an auditor.

15. Discuss the powers and duties of auditors under the Companies Act, 2013. $4 + 4 = 8$

OR

16. What are the provisions under the Companies Act, 2013 for the payment of dividend? 8

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(Turn Over)

(6)

UNIT—V

17. Answer any *four* from the following as directed : 1×4=4

(a) Mention the different modes of winding up of a company as per the Companies Act, 2013.

(b) Mention one ground for compulsory winding up under Section 271 of the Companies Act, 2013.

(c) The company liquidator has to submit the reports on the progress of winding up quarterly/annually.

(Choose the correct answer)

(d) The liabilities of the shareholders continue even after the company goes into liquidation.

(Write True or False)

(e) Who among the following cannot file a petition for winding up?

(i) Registrar

(ii) Promoter

(Choose the correct answer)

18. Answer any *one* question of the following : 2

(a) What is whistle blowing?

(b) What is insider trading?

(7)

19. Describe the powers and duties of company liquidator appointed by the tribunal. 4+4=8

OR

20. Explain the provisions of the Companies Act, 2013 in respect of the creditor's voluntary winding up. 8
